

We also found that because the FCC has made reporting requirements so lax, stations are allowed to submit summaries of their programming efforts in any form they choose. Station submissions varied from a single page to more than 50 pages. Rather than identifying which programs were "specifically designed" to serve the educational and informational needs of children, many stations lumped all their programming into such vague categories as: "programs specifically designed for children," programs "which contain elements of information/educational material," or "programs broadcast on this station providing significant treatment of issues for kids."

One submission from an independent station in Louisville, Kentucky consisted entirely of twenty-two pages describing sixty-five episodes of the syndicated series *Widget*, accompanied by a statement from the syndicator asserting that its show is "FCC friendly."<sup>10</sup> Another station in Jackson, Mississippi submitted a list of "good and wholesome entertainment for our viewers age 16 and under," which consisted of 24 programs, 23 of which were cartoons such as *Alvin and the Chipmunks*, *Tom and Jerry's Kids*, and *James Bond, Jr.* "Each program does, of course, have commercial content," the statement explained, "but represents the commitment this station has to providing quality entertainment to the children of our viewing area and community."<sup>11</sup>

**3. While a handful of new "specifically designed" informational and educational programs for children are now airing on a regular basis on some stations, many licensees are treating them as token "FCC shows" and scheduling them in marginal time periods.**

A small number of new syndicated live action/magazine news programs are appearing on license renewal applications as evidence of compliance with the

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for Commercial Television Stations, 6 FCC Rcd 2111, 2116 (April 12, 1991) ("April Order"), aff'd in part 6 FCC Rcd 5093 (August 26, 1991). ("August Order").

Children's Television Act. (These programs – *Not Just News*, *Wide World of Kids*, *K-TV*, *Way Cool*, and *Scratch*. – are routinely referred to in the industry as "FCC compliance shows.") However, according to those stations that did provide program times, nearly 60% of these series are scheduled between 5:30 and 7:00 A.M.

A station in New Orleans proudly described *Wide World of Kids* as a program which is "especially educational for those children in the New Orleans viewing area who rarely, if ever, get to travel to other areas of the the United States and the world. This educational program will open up young minds to be more receptive in school lessons." The station broadcast one episode of the series every Saturday during the sixteen week period between October 1, 1991 and January 31, 1992. During that time, the program was repeatedly shifted in the schedule, airing four times at 12:30 P.M., six times at 6:00 A.M., and six times at 5:30 A.M.<sup>12</sup>

Another station described *Scratch* as a weekly "magazine style show targeted to teens age 12-17, a fast paced program that includes entertainment features and real-life stories that reflect the values and issues facing today's youth. Serious issues tackled include teen AIDS, runaways, DUI, gang violence, teen pregnancy and many other hard issues." This show was scheduled on Saturday mornings at 6:00 A.M.<sup>13</sup>

**4. Many broadcasters are responding to the new law's programming requirements primarily by inserting "pro-social" content or "educational moments" into entertainment programs, or by redefining standard cartoon fare in educational terms.**

Many of the license renewal applications examined included plot summaries of entertainment cartoons describing the actions of the characters in

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<sup>12</sup>License renewal application, WVUE-TV, New Orleans, Louisiana

<sup>13</sup> License renewal application, WDIV, Detroit, Michigan

ways that make them sound educational. For example, in the file for WGNO, New Orleans, Louisiana, we found 9 pages describing the plots of such animated syndicated series as *Tiny Toon Adventures*, *Bucky O'Hare*, *Tale Spin*, *Ducktales*, *Chip 'n' Dale Rescue Rangers*, *Casper*, and *GI Joe*. Typical plot descriptions included:

*Chip 'n Dale Rescue Rangers*: "The Rescue Rangers stop Cheddarhead Charlie from an evil plot. The rewards of team efforts are the focus in this episode."

*Bucky O'Hare*: "Good-doer Bucky fights off the evil toads from aboard his ship. Issues of social consciousness and responsibility are central themes of program."

*GI Joe*: "The Joes fight against an evil that has the capabilities of mass destruction of society. Issues of social consciousness and responsibility are show themes."<sup>14</sup>

An NBC affiliate described the following episodes from the Saturday morning cartoon line-up as "specifically designed to serve the educational and informational need of children 16 and under:" *Super Mario Brothers: 4*: "Yoshi learns to have more self confidence;" *Yo Yogi!*: "Snag learns that he can capture the bank-robbing cockroach more successfully by using his head, rather than his muscles;" *Captain N*: "Kevin learns the meaning of teamwork;" and *Prostars*: "Jennifer Twist runs away to New York City and finds that being a runaway can be frightening."<sup>15</sup>

These cleverly-crafted plot summaries suggest that the broadcasting industry has devised a conscious strategy of redefining virtually all entertainment programs for children as "educational and informational." The practice is best described in the license renewal application of a station not included in our market sample: "[T]he bulk of the network's Saturday morning

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<sup>14</sup>The station grouped all the programs together under the heading: "Summary of WGNO Television's response to the educational and informational needs of children, through programming which furthers the development of children age 16 and under in any respect including their intellectual/cognitive or social/emotional needs."

<sup>15</sup>License renewal application, WDIV-TV, Detroit, Michigan

children's programming attempts to teach or reinforce beneficial social values primarily through the use of the fictional cartoon characters."<sup>16</sup>

Our examination also revealed that some of the network programs which critics have said are designed to educate – e.g., *CBS Storybreak*, *CBS Schoolbreak Specials*, and *ABC Weekend Specials* – were routinely pre-empted, according to station filings. <sup>17</sup>

**5. Many broadcasters are coming up with new descriptions of old programs rather than finding new programs to meet the mandate of the law.**

During the 1991 Christmas season, for example, several stations aired seasonal staples, which were described in their FCC filings as informational yuletide specials. In one instance, *Santa Claus is Coming to Town* was described as "specifically designed to serve the educational and informational needs of children" because it "answers some of the mysteries, myths, and questions surrounding the legend of Santa Claus."<sup>18</sup> A New Orleans independent station included ten episodes of *Leave It To Beaver* in its general listing of programming serving the educational and informational needs of children. In the October 3 episode – which aired at 1:30 P.M. on a weekday – "Eddie misunderstands Wally's help to girlfriend, Cindy, and confronts Wally with his fist. Communication and trust are shown in this episode."<sup>19</sup>

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<sup>16</sup>License renewal application WXVT, Greenville, Mississippi

<sup>17</sup>For example, WHLT, Hattiesburg, Mississippi, reported that *CBS Storybreak* was pre-empted on October 5 and October 12, 1991, and that the *CBS Schoolbreak Specials* were pre-empted on Oct. 22, December 3, December 17, and December 25, 1991.

<sup>18</sup>License renewal application, KAIT, Jonesboro, Arkansas.

<sup>19</sup> License renewal application, WGNO, New Orleans, Louisiana.

**6. Most of the programming that broadcasters cite in their efforts to comply with the law falls into the vague category of "pro-social," while little of the programs appear to be serving the informational needs of children.**

In the definition adopted by the FCC, programming is educational and informational if it "furtheres the positive development of the child in any respect, including the child's cognitive/intellectual or emotional/social needs."<sup>20</sup> It was hoped that this definition would fulfill the intent of Congress in passing the Act to allow licensees the flexibility to meet children's needs in creative and diverse fashions.<sup>21</sup>

Broadcasters appear to have seized upon the second part of the FCC definition and are focusing most of their attention on social needs, while failing to serve cognitive/intellectual needs. "Pro-social" has become a term of art among the broadcasters that allows them to describe almost anything in terms that sound vaguely beneficial. Because it is so easy to apply the "pro-social" label to children's entertainment, shows bearing this tag predominated among the programs listed as specifically designed for children.

**7. Very few stations are airing any locally-produced programs which are designed to served the educational and informational needs of children.**

Ten of the 58 stations in our sample reported producing locally originated regularly scheduled half-hour programs. Only one station however, WWL, New Orleans, stated in its renewal application that it had created a show – *Our Generation* – in response to the Children's Television Act. Another station, WAFB, Baton Rouge, LA, did say that its show, *Kids' Jamboree*, is "specifically designed for the education of children under the age of 12 in the moral and ethical areas of life." Unfortunately, the show airs at 6:00 A.M. on Sundays.<sup>22</sup> A

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<sup>20</sup> August Order 6 FCC Rcd at 5099.

<sup>21</sup> See Reply Comments of the Donald McGannon Communication Research Center at 7 (filed February 20, 1991).

<sup>22</sup> License renewal application, Baton Rouge, Louisiana.

local Detroit show called *Kidbits*, featuring "science demonstrations geared toward elementary school children," was scheduled at 6:30-7:00 a.m. on Saturdays and 5:30 A.M. on Sundays.<sup>23</sup>

**8. Some stations are including programs in their filings that are unrelated to the requirements of the Children's Television Act.**

The law stipulates that broadcasters will be evaluated on the basis of their overall programming efforts. As the FCC explained: "General audience programming can contribute, as part of the licensee's overall programming, to serving children's needs pursuant to the Act. It does not by definition, however, satisfy the additional requirement that licensees air some programming 'specifically designed' to serve the educational and informational needs of children."<sup>24</sup>

Many broadcasters appropriately included in their renewal applications general audience programming that may serve children's needs. However, we also found numerous instances where stations have compiled lists of general programming unrelated to the needs of children. Among the most egregious examples was a station that listed several pages of programs under the category

## **RECOMMENDATIONS:**

After evaluating the response of stations in our market sample to the mandate of the Children's Television Act, we make the following recommendations:

- 1. The Federal Communications Commission should conduct an inquiry to determine whether the broadcasting industry is meeting the mandate of the Children's Television Act.**
- 2. The FCC should adopt strict reporting requirements to enable policymakers to evaluate broadcaster compliance with the law.**
- 3. Congress should hold oversight hearings into the broadcasting industry's compliance with the Children's Television Act.**

### **Acknowledgements**

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**A sample of station license renewal submissions and related materials documenting compliance with the Children's Television Act.\***

**\*Some of these stations also filed other documentation, including packets provided by the networks.**

ATTACHMENT 9A

KFSM-TV

CHILDREN'S EDUCATIONAL AND INFORMATIONAL PROGRAMMING

(October 1, 1991 - December 31, 1991)

JANUARY 10, 1992

OCTOBER 1 - OCTOBER 5, 1991

10/04/91 12N-12:30pm Noon On 5

OCTOBER 6 - OCTOBER 12, 1991

10/07/91 12N-12:30pm Noon On 5

OCTOBER 27 - NOVEMBER 2, 1991

10/28/91 12N-12:30pm Noon On 5

10/30/91 12N-12:30pm Noon On 5

NOVEMBER 3 - NOVEMBER 9, 1991

11/04/91 6-6:30pm 1st Team News at 6pm

11/04/91 10-10:30pm 1st Team News at 10pm

NOVEMBER 10 - NOVEMBER 16, 1991

11/11/91 6:30-7am 1st Team News at 6:30am

11/11/91 6-6:30pm 1st Team News at 6pm

11/12/91 6-6:30pm 1st Team News at 6pm

11/13/91 12N-12:30pm Noon On 5

11/13/91 10-10:30pm 1st Team News at 10pm

11/15/91 6:30-7am 1st Team News at 6:30am

11/15/91 12N-12:30pm Noon On 5

11/15/91 10-10:30pm 1st Team News at 10pm

11/15/91 10-10:30pm 1st Team News at 10pm

NOVEMBER 17 - NOVEMBER 23, 1991

11/18/91 12N-12:30pm Noon On 5

11/21/91 5-5:30pm 1st Team News Live at 5

11/21/91 10-10:30pm 1st Team News at 10pm

KFSM-TV

JANUARY 10, 1992

PROGRAM INFORMATION  
OCTOBER 1ST THROUGH DECEMBER 31, 1991

Following are descriptions of regularly scheduled and special programs, which are, in our judgement, designed to serve the educational and informational needs of children within the meaning of the children's Television Act of 1990.

**THE LITTLE RASCALS**

Saturdays and Sundays, effective 10/5/91  
6:00am to 6:30am  
Half Hour program

This program presents the classic Hal Roach Little Rascals features.

**SUPERBOY**

Saturdays, effective 10/5/91  
7:30am to 8:00am  
Half Hour program

This program is based on the fictional character "Superman" but develops the story lines surrounding the character as a young man. Superboy as Clark Kent challenges evil and saves Capitol City as the program presents GOOD as it triumphs over EVIL.

**EIGHT IS ENOUGH**

Sundays  
6:30 am  
One Hour Program

This program shows a large family confronting the loss of wife and mother and living with a single parent and eight children in situations that allow the viewer to identify and understand the pain and pleasure in a loving family.

**FAMILY**

Sundays  
7:30 am  
One Hour Program

This program shows family relations in situations that are contemporary and designed to show the conflict, discussion and resolution of personal and family issues.

**ZOO LIFE MAGAZINE**

Sunday  
3:00 pm

This special program presents information about animal life and is directed to children.

**ZOO LIFE MAGAZINE**

Sunday, (OTO) 12/22/91  
3:00 pm

This special program presents information about animal life and is directed to children.

**SOUL CHILDREN'S CHRISTMAS**

Saturday, (OTO) 12/21/91  
1:30pm

This one hour program presented groups of children singing the songs of Christmas.

WVLA-TV  
BATON ROUGE, LA

EXHIBIT I  
CHILDREN'S PROGRAMS

Programs aired by WVLA which contain elements of information/educational material since October 1, 1991 are listed herewith.

1. SUPER MARIO BROTHERS, 8-8:30 AM, Saturday  
10/5/91, 11 min. - Self-confidence
2. ADVENTURES OF MARK & BRIAN, 6-6:30 PM, Sunday  
10/6/91, 30 min. - Learning about firemen  
10/27/91, 30 min. - Military basic training.
3. YO, YOGI, 7:30-8 AM, Saturday  
10/19/91, 30 min. - Brains instead of muscles.  
11/23/91, 11 min. - Not what you wear, but what you are.  
11/23/91, 11 min. - Truth
4. CAPTAIN N, 8-8:30 AM, Saturday  
10/19/91, 11 min. - Teamwork
5. PROSTARS, 8:30-9 AM, Saturday  
10/19/91, 30 min. - Illegal toxic dumping  
11/23/91, 30 min. - Gangs  
11/30/91, 30 min. - Runaways  
12/7/91, 30 min. - Overcoming handicaps.
6. SAVED BY THE BELL, 10-10:30 AM, Saturday  
10/26/91, 30 min. - Ecology.  
11/16/91, 30 min. - Competitiveness & education.  
12/7/91, 30 min. - Homelessness  
12/14/91, 30 min. - Homelessness  
12/21/91, 30 min. - Having surgery.  
12/21/91, 30 min. - Reliability & trustworthiness.
7. SPACECATS, 7-7:30 AM, Saturday  
11/2/91, 30 min. - Pollution & toxic waste
8. I'LL FLY AWAY, 8-10 PM, Mon.  
10/7/91, 120 min. - Relationships between black and white families in the 1960's.
9. THE COSBY SHOW, 7-7:30 PM, Thursday  
10/10/91, 30 min. - Academic goals  
11/7/91, 30 min. - Science & Nature museum field trip.  
11/14/91, 30 min. - Etiquette and career counseling
10. A DIFFERENT WORLD, 7:30-8 PM, Thursday  
10/10/91, 30 min. - Tutoring.  
12/5/91, 30 min. - Slavery as a part of history.
11. I'LL FLY AWAY, 7-8 PM, Tuesday  
10/15/91, 60 min. - Rules of the game

WVLA-TV  
BATON ROUGE, LA

12. BLOSSOM, 7:30-8 PM, Monday

10/21/91, 30 min.

- Lie to get a job?

11/4/91, 30 min.

- Drug & alcohol intervention.

13. FRESH PRINCE, 7-7:30 PM, Monday

11/4/91, 30 min.

- Compassion for overweight people.

12/9/91, 30 min.

- Something for nothing.

14. WALTER & EMILY, 7:30-8 PM, Saturday

11/23/91, 30 min.

- Learning to work hard.

15. THE STORY LADY, 8-10 PM, Monday

12/9/91, 120 min.

- Inter-generational reading.

16. TORKELSONS, 6:30-7 PM, Sunday

12/22/91, 30 min.

- Adult education.

17. JAMES BOND, JR., 3-3:30 PM, M-F, 30 min.

Animated, James Bond, Jr. is junior secret service agent to fights for good against evil. Many of the episodes feature information on geography, acquainting children with cities and countries around the world. Some story lines include science information.

10/1/91, #015

- Paris

10/2/91, #028

- Washington, D. C.

10/3/91, #005

- Egyptian Oil Fields

10/4/91, #017

- Greek Holidays

10/7/91, #022

- Cryogenics

10/8/91, #036

- Hong Kong

10/10/91, #001

- Paris

10/11/91, #020

- New York

10/12/91, #012

- Egypt

10/15/91, #044

- City covered with lava.

10/16/91, #010

- Earthquakes

10/17/91, #024

- Caribbean Island

10/21/91, #048

- Scotland

10/22/91, #006

- Macau

10/24/91, #021

- British Secret Service

10/25/91, #028

- Washington, DC

10/28/91, #052

- Bahamas

10/29/91, #026

- Plutonium-nuclear reactor

10/30/91, #038

- German castle.

11/5/91, #008

- Pamplona

11/6/91, #046

- Himalayas

11/7/91, #031

- Mexico, Pyramids

11/8/91, #033

- Titanium Ore

11/11/91, #054

- Monte Carlo

11/12/91, #040

- Russia

11/14/91, #060

- Paris

11/15/91, #041

- Italy

11/18/91, #011

- Clairvoyant

11/19/91, #030

- Italy, DaVinci painting

11/22/91, #007

- Hong Kong

11/25/91, #047

- Rio

WVLA-TV  
BATON ROUGE, LA

11/26/91, #015	- Peru, Earthquake
11/27/91, #017	- Greece
11/29/91, #005	- Egyptian oil fields
12/3/91, #020	- New York, NY
12/4/91, #036	- Hong Kong
12/5/91, #001	- Paris
12/6/91, #044	- Lava Burried City
12/9/91, #012	- Egypt
12/10/91, #024	- Caribbean Island
12/12/91, #048	- Scotland
12/13/91, #010	- Earthquakes
12/17/91, #006	- Macau
12/18/91, #021	- British Sec. Service
12/19/91, #026	- Plutonium
12/20/91, #038	- Germany
12/23/91, #052	- Bahamas
12/24/91, #003	- Japan
12/26/91, #046	- Himalayas
12/27/91, #031	- Mexican Village
12/30/91, #033	- Titanium ore.

18. GROWING PAINS, 6-6:30 PM, M-F, 30 MIN.

Oct. 1 - Dec. 31, 1991

- Situation comedy depicting  
typical family, father, mother, 3 children.  
Each episode has a member of the family becoming

WVLA-TV  
BATON ROUGE, LA

Dec. 14, 1991	- Health
Dec. 21, 1991	- Future
Dec. 28, 1991	- Fear

21. MAN IN THE SANTA CLAUS SUIT, 1-3 PM, SAT. 12/7/91, 120 MIN.  
Christmas story teaching values of friendship, love, family, and trust.
22. PEARL HARBOR REMEMBERED, 11:30 AM - 12:30 PM, SAT. 12/7/91, 60 MIN.  
Live coverage of the 50th anniversary of Pearl Harbor, Pres. Bush and other dignitaries attend. The history of Pearl Harbor is covered in the special.
23. MIRACLE ON 34TH STREET, 3:30-5:30 PM, SUN. 12/15/91, 120 MIN.  
Classic movie featuring faith in Santa, giving, and love.
24. YES, VIRGINIA, THERE IS A SANTA CLAUS, 3-3:30 PM, SUN., Dec. 15, 1991, 30 MIN. Animated, answers the question "is Santa Claus Real" in a way that teaches children faith in giving, love, and trust.
25. A CHRISTMAS CAROL SPECIAL, 7-7:30 AM SUNDAY, 12/22/91, AND 6:30-7 AM, WED. 12/25/91, 30 MIN. EACH  
Locally produced, features WVLA's adopted school 4th and 5th grades choir singing carols. North Highland Elementary is a primarily black school.
26. A MOM FOR CHRISTMAS, 8-10 PM, SUNDAY, 12/22/91, 120 MINUTES  
Department store mannequin comes to life after little girl wishes for a mom for Christmas. Family learns to love her and wants to keep her.
27. IN THE NICK OF TIME, 8-10 PM, MONDAY, 12/16/91, 120 MINUTES  
Nick learns his tenure is about up and he must find a replacement who will possess all the wonderful qualities of Santa Claus.
28. A LITTLE PIECE OF HEAVEN, 8-10 PM, MONDAY, 12/2/91, 120 MINUTES  
Story involves orphans who form a family unit of their own, with love and no regard to race or origin.

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**CHILDREN'S PROGRAMING**

The following is a general listing of programing provided by both WDBD Fox 40 and the Fox Network toward the effort of providing good and wholesome entertainment for our viewers age 16 and under. The following programs aired during the months of October 1 through December 31, 1991.

PROGRAM	AIRTIME	DAY
Alvin & The Chipmunks	6:00a - 6:30a	Mon - Fri
Chip & Dale	6:30a - 7:00a	Mon - Fri
Teenage Ninja Turtles	7:00a - 7:30a	Mon - Fri
James Bond Jr.	7:30a - 8:00a	Mon - Fri
Peter Pan & The Pirate	8:00a - 8:30a	Mon - Fri
Dennis The Menace	8:30a - 9:00a	Mon - Fri
Muppet Babies	2:00p - 2:30p	Mon - Fri
Ducktales	2:30p - 3:00p	Mon - Fri
Tailspin	3:00p - 3:30p	Mon - Fri
Beetlejuice	3:30p - 4:00p	Mon - Fri
Darkwing Duck	4:00p - 4:30p	Mon - Fri
Tiny Toon Adventures	4:30p - 5:00p	Mon - Fri
Attack / Killer Tomatoes	8:00a - 8:30a	Saturday
Bobby's World	8:30a - 9:00a	Saturday
Tom and Jerry Kids	9:00a - 9:30a	Saturday
Taz-Mania	9:30a - 10:00a	Saturday
Little Shop Of Horrors	10:00a - 10:30a	Saturday
Bill & Ted's Adventure	10:30a - 11:00a	Saturday
Way Cool	11:00a - 11:30a	Saturday
Bullwinkle	6:00a - 6:30a	Sunday
The Little Mermaid	6:30a - 7:00a	Sunday
Toxic Crusaders	7:00a - 7:30a	Sunday
Bucky O' Hare	7:30a - 8:00a	Sunday
Funtastic World	8:00a - 10:00a	Sunday

The above list represents 23 hours of weekly programing directed at kids under 16. Each program does, of course, have commercial content, but represents the commitment this station has to providing quality entertainment to the children of our viewing area and community.

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**FOX 40 KID'S CLUB**

Toward the effort the station makes to kid's programing and events is the organization of the Fox 40 Kid's Club. This club, sponsored on a local basis by WDBD is a non profit organization striving to plan and execute events around the city that the kids can be a part of. The events that are sponsored by the station are free to all children and offer opportunities for children to become members of the Fox 40 Kid's Club.



**LIST of COSIGNERS**

**Center for Media Education (CME)** is a nonprofit 501(c)(3) public interest policy and research organization dedicated to promoting the democratic potential of the electronic media. CME's Campaign for Kids' TV is aimed at improving the quality of children's television, educating the public about the Children's Television Act, and empowering parents and educators to deal more effectively with the media.

**American Association of School Administrators (AASA)** is one of the oldest educational leadership organizations in the nation. Our members are school superintendents, central administrators, principals and others who provide leadership and direction for schools. Since its founding in 1865, AASA has been an advocate for children.

**Association for Library Service to Children at the American Library Association** is a professional organization committed to improving and expanding library services for children. As such, the Association actively pursues liaison and work with other child advocacy groups in order to advance the causes of children and families.

**Center for the Study of Commercialism** is a nonprofit research and advocacy group concerned with the over-commercialization of American society.

**Peggy Charren** is the founder of **Action for Children's Television (ACT)** and a consultant on children's media.

**Consumer Federation of America (CFA)** is a coalition of 240



persons who are actively concerned with the rights and responsibilities of all citizens in broadcasting.

National Association of Child Advocates (NACA) works for the safety, security, health and education of all America's children by building and supporting state- and community-based independent child advocacy organizations. NACA speaks on national policy issues as the collective voice of 32 state-based child advocacy organizations who are full members.

National Association of Elementary School Principals, founded in 1921, is a professional organization serving more than 26,000 elementary and middle school educators. The Association believes that the progress and well-being of every child must be at the forefront of all elementary and middle school planning and